

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

LAVERL JOHNSON

PLAINTIFF

v.

No. 2:05CV-79-P-D

STATE OF MISSISSIPPI, et al

DEFENDANTS

ORDER

On consideration of the file and records in this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated August 2, 2005, was on that date duly served by first class mail upon plaintiff and counsel for the defendants and that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by said parties. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore,

**ORDERED** that the Report and Recommendation of the United States Magistrate Judge dated August 2, 2005, be, and it is hereby, **APPROVED AND ADOPTED**, and this action **DISMISSED** for failure to prosecute.

This the 8<sup>th</sup> day of September, 2005.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE